

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

Vantage Financial Services, Inc.  
Plaintiff

v.

Nonprofit Service Group, Inc. and George E.  
Miller  
Defendants

CIVIL ACTION NO. 04-11686-WGY

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**DEFENDANTS' PROPOSED SPECIAL VERDICT FORM**

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**Statute of Limitations**

1. Did the plaintiff know that it had suffered appreciable harm as a result of defendant's actions prior to July 13, 2001?

YES\_\_\_\_\_ NO\_\_\_\_\_

If your answer is "Yes," proceed to Question 2. If your answer is "No," proceed to question 7.

**Legal Malpractice**

2. Did the defendants owe a duty of professional care to the plaintiff?

YES\_\_\_\_\_ NO\_\_\_\_\_

If your answer is "Yes," proceed to Question 3. If your answer is "No," proceed to question 7.

3. Did the defendants breach a duty of care to the plaintiff?

YES\_\_\_\_\_ NO\_\_\_\_\_

If your answer is "YES", proceed to Question 4. If your answer is "NO," proceed to question 7.

4. Did the defendants' breach of duty cause the plaintiff damages?

YES\_\_\_\_\_ NO\_\_\_\_\_

If your answer is "Yes," proceed to Question 5. If your answer is "No," proceed to question 7.

5. What percentage was the defendants' conduct a contributing factor in causing the plaintiffs' loss? \_\_\_\_\_%

If the answer to the proceeding question was more than 50% or more, proceed to number 6. If the answer to the preceding question was less than 50%, than proceed to question 7.

6. Please state in words and numbers the amount of money you find will fairly and reasonably compensate the plaintiff, if any, caused by the breach of duty of the defendants.

\_\_\_\_\_  
Amount in Words

\_\_\_\_\_  
Amount in Numbers

**Negligent Misrepresentation**

7. Did the defendants make a negligent misrepresentation to the plaintiffs?

YES \_\_\_\_\_ NO \_\_\_\_\_

If your answer is "Yes," proceed to Question 8. If your answer is "No," proceed no further.

8. Did the plaintiff justifiably rely on the defendants' negligent misrepresentation?

If your answer is "Yes," proceed to Question 9. If your answer is "No," proceed no further.

9. Did the plaintiff suffer a loss of money as a result of defendant's negligent misrepresentation?

If your answer is "Yes," proceed to item 10. If your answer is "No," proceed no further.

10. Please state in words and numbers the amount of money you find will fairly and reasonably compensate the plaintiff, if any, caused by the defendants' negligent misrepresentation.

\_\_\_\_\_  
Amount in Words

\_\_\_\_\_  
Amount in Numbers

I certify that the above answers represent the answers of at least 10 of the 12 deliberating jurors.

\_\_\_\_\_  
Foreperson of the Jury

DATED: January \_\_\_\_, 2006

Respectfully submitted,

Nonprofit Service Group, Inc. and  
George E. Miller,

By their attorneys,

/s/ Matthew J. Griffin

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### **CERTIFICATE OF SERVICE**

I, Matthew J. Griffin, Esq. hereby certify that on this 27<sup>th</sup> day of January 2007 I electronically served the foregoing document on the following counsel of record:

Laurence M. Johnson Esq.  
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